

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KTW PROPERTIES, LLC,

Plaintiff,

vs.

COLUMBIA MUTUAL INSURANCE  
COMPANY,

Defendant.

8:21CV420

AMENDED  
CASE PROGRESSION ORDER

This matter comes before the Court on the plaintiff's Unopposed Motion to Amend Scheduling Order ([Filing No. 25](#)). After review of the motion, the Court finds good cause to grant the requested extensions. Accordingly,

**IT IS ORDERED** that the Unopposed Motion to Amended Scheduling Order ([Filing No. 25](#)) is granted, and the case progression order is amended as follows:

- 1) The deadlines for identifying expert witnesses and completing expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#))), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiffs:	<b>August 15, 2022</b>
For the defendants:	<b>September 14, 2022</b>
Plaintiff's rebuttal:	<b>September 28, 2022</b>

- 2) The trial and pretrial conference will not be set at this time. A planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings remains scheduled with the undersigned magistrate judge on **September 30, 2022**, at **10:30 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference
- 3) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is **October 27, 2022**. The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is **ten (10)**.
- 4) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **November 14, 2022**.
- 5) The deadline for filing motions to dismiss and motions for summary judgment is **November 28, 2022**.

- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 7<sup>th</sup> day of July, 2022.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge